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Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE cond to a collection of information unless it displays a valid OMB control number Application Number 11/26/02 Filing Date First Named Inventor Xue Mei Zhou Art Unit 1631 **Examiner Name** Carolyn L. Smith Attorney Docket Number 3291.3B

ENCLOSURES (check all that apply)					
Fee Transmittal F	orm	Drawing(s)		After Allowance Communication to Group	
Fee Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences	
Amendment / Rep	bly	Petition		Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final		Petition to Convert to a Provisional Application		Proprietary Information	
Affidavits/declaration(s)		Power of Attorney, Revocation Change of Correspondence Address		Status Letter	
Extension of Time Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):	
Express Abandonment Request		☐ Request for Refund ☐ CD, Number of CD(s) 1		Form 1449, plus 126 pages of references Return Postcard	
Information Disclosure Statement			·	IOS	
Certified Copy of Priority Document(s)		Remarks			
Response to Miss Incomplete Applic	•				
Response to Missing Parts under 37 CFR 1.52 or 1.53					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT					
Firm or Individual name	Philip L. McGarrigle Reg. No. 31,395				
Signature	Mily Welle				
Date	December 12, 2003				

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Gilda T. Carr

Signature

Date

December 12, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





Attorney Docket No. 3291.3B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Xue Mei Zhou

Serial No: 10/065,868

Filing Date: 11/26/02

Title: Method, System and Computer **Software for Online Ordering of Custom**

Probe Arrays

Commissioner for Patents

Examiner:

Carolyn L. Smith

Group Art Unit: 1631

INFORMATION DISCLOSURE

STATEMENT

P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR § 1.56, § 1.97 and § 1.98, the documents listed on the accompanying U.S. Patent & Trademark Office's Modified Form 1449 are called to the attention of the Examiner for consideration in connection with the above-identified patent application. In accordance with 37 CFR 1.98, a copy of each cited reference is enclosed herewith.

Reference No. 6 on the attached Form 1449 is being called to the attention of the Examiner. PCT publication number WO 02/44994 A2 contains more than 700 pages. In an effort to make the review of this reference more manageable for the Examiner, a CD with an electronic copy of this reference is enclosed herewith.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Citation of these documents shall not be construed as (1) an admission that the documents are necessarily prior art with respect to the instant invention; (2) a

representation that a search has been made, other than as described above; or (3) an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

Applicants believe that <u>no fee is required</u> for submission of this statement.

However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Account No. 01-0431 in order to have this Information Disclosure Statement considered.

Dated:

December 12, 2003

Respectfully submitted,

Customer No. 22886 Legal Department Affymetrix, Inc. 3380 Central Expressway Santa Clara, CA 95051

Tel: (781) 280-1522 (Wm. McCarthy)

Fax: (781) 687-9090

Philip L. McGarrigle Reg. No. 31,395

PTO/SB/08a (08-03)
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PRADE MANUStitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known			
Application Number	10/065,868		
Filing Date	11/26/02		
First Named Inventor	Xue Mei Zhou		
Art Unit	1631		
Examiner Name	TBD		
Attorney Docket Number	3291.3B		

	U.S. PATENT DOCUMENTS				
Examiner Initials *	Cite No.1	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-2002/0102559A1	8/1/02	Cattell	
1-11-	2	US- 2003/0033290A1	2/13/03	Garner et al	
		US-			
		US-			
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		US-			

	FOREIGN PATENT DOCUMENTS						
Examiner Initials* Cite No.1 Foreign Patent Document Country Code3 - Number4 - Kind Code5 (if known)	Foreign Patent Document	Publication	Publication	Publication Name	Name of Patentee or	Pages, Columns, Lines, Where Relevant	
	Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵			
	3	WO 01/31333A1	5/3/01	Genometrix Genomics, Inc.			
	4	JP 2002074089	3/12/02	Canon, Inc.		Х	
	5	WO 01/80155A2	10/25/01	Combimatrix Corp.			
	6	WO 02/44994A2	6/6/02	Third Wave Technologies	716 pages on CD Enclosed		
	7	WO 02/061646A1	8/8/02	Takegawa			

Examiner Signature	Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

Tris collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.